

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JANICE LEE, *et al.*,

Plaintiffs,

v.

TMZ PRODUCTIONS INC., *et al.*,

Defendants.

Civil Action No. 15-234 (WJM)

ORDER

THIS MATTER having come before the Court for a case management conference on November 5, 2015; and the Court having discussed with counsel the status of the case, including Plaintiffs' motion for default judgment against Defendant TMZ Productions, Inc. [ECF No. 46] and TMZ's cross-motion to vacate default [ECF No. 50]; and the Court noting the Third Circuit's strong preference to resolve cases on the merits whenever possible, *see, e.g., United States v. \$55, 518.05 in U.S. Currency*, 728 F.2d 192, 194-95 (3d Cir. 1984); and Plaintiffs' counsel having consented to vacate default and allow TMZ to respond to the Complaint; and for good cause shown;

IT IS on this 9th day of November 2015,

ORDERED that, Plaintiffs' motion for default judgment [ECF No. 46] is **DENIED**; and it is further

ORDERED that, Defendant TMZ's cross-motion to vacate default [ECF No. 50] is **GRANTED**; and it is further

ORDERED that, Defendant TMZ answer or otherwise move in response to the Complaint on or before **November 19, 2015**.

s/Mark Falk
MARK FALK
United States Magistrate Judge